IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

WRIT PETITION NO.2079 OF 1990

The Bombay Agricultural Produce
Market Committee, Vardhaman Chambers,
5th Floor, Kalyan Street,
Bombay 400 009. .. Petitioner

v/s.

1. The State of Maharashtra

2. Shri B.D.Pawar,
Director of Marketing,
Maharashtra State, Pune.

3. The Wallace Flour Mills Co.Ltd.
having its office at 100B Shivdas
Champsi Marg, Mazgaon,
Bombay 400 009.

4. Messrs. Balaji & Maharana Flour Mills,
having its office at Mulund West,
Bombay 400 080.

5. Shri Bansiwala Milling & trading Co.
Conductors: Bansiwala Mills
Private Ltd., Bansiwala Mills
Compound, E.Moses Road,
Mahalaxmi, Bombay 400 011.

6. Shri Abhaysinh Raje Bhosale,
former Minister for Co-operation,
Government of Maharashtra,
Mantralaya, Bombay. .. Respondents

Mr.Y.R.Naik i/by Mr.Prashant Naik for the petitioner.

Mr.M.D.Naik, Assistant Government Pleader for the respondent Nos.1,2 and 6.

CORAM : R.M. LODHA AND
J.P. DEVADHAR, JJ.

DATED : 17th June, 2005

ORAL JUDGMENT (Per R.M.Lodha, J.)

Heard Mr.Y.R.Naik, the learned counsel for the petitioner. Mr. M.D.Naik, the learned AGP appears

for and on behalf of respondent Nos.1,2 and 6. The respondent Nos.3 to 5 have not chosen to appear.

2. After having heard Mr.Y.R.Naik, the learned counsel for the petitioner and Mr.M.D.Naik, the learned AGP for the respondent Nos.1,2 and 6, we are of the view that the impugned order cannot be sustained for the reasons we have already indicated in our order passed today while disposing of the writ petition No.2056 of 1990.

3. For the self-same reasons, we find the impugned order unsustainable. The writ petition is allowed. The order dated 17.10.1989 impugned in the present writ petition is set aside. Rule is disposed of with no order as to costs.

(R.M.LODHA, J.)

(J.P. DEVADHAR, J.)